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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )

LE PAGE, R.W.F., *et al.* )

Serial Number: 09/769,744 )

Filed: January 26, 2001 )

For: NUCLEIC ACIDS AND PROTEINS FROM  
STREPTOCOCCUS PNEUMONIAE

Group Art Unit: 1645

Examiner: S. DEVI

**RECEIVED**

**MAR 04 2004**

**OFFICE OF PETITIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Amendment Under 37 C.F.R. § 1.111 and Response to Notice to Comply with  
Requirements for Patent Applications Containing Nucleotide Sequence  
and/or Amino Acid Sequence Disclosures**

Sir:

Responsive to the non-final Office Action and Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed February 28, 2003, and in accordance with the provisions of 37 C.F.R. §§ 1.821-1.825, Applicants submit herewith a substitute "Sequence Listing" in both paper copy and computer readable form.

Applicants submit herewith a computer readable copy of the substitute "Sequence Listing" on a CD-ROM in ASCII format as required by 37 C.F.R. § 1.821(e). In accordance with the provisions of 37 C.F.R. § 1.821(f), the undersigned hereby states that the content of the computer readable CD-ROM copy of the substitute "Sequence Listing" and the paper copy of the "Sequence Listing" submitted herewith are the same.

Applicants additionally request that the specification be amended as submitted below to conform with the Sequence Listing request. No new matter is introduced as a result of these amendments.

A petition for revival of an application for patent abandoned unintentionally under 37 C.F.R. 1.137(b) with the requisite petition fee is filed herewith, and it is believed that no further fees are required. However, in the event of any variance between the amount enclosed and the fees determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's Deposit Account No. 50-0206.

**Amendments to the Specification** begin on page 3 of this paper.

**Remarks** begin on page 42 of this paper.